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**FACSIMILE TRANSMISSION**

DATE: September 18, 2006

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| Name                    | Fax Number   | Phone Number |
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| Commissioner of Patents | 571-273-8300 |              |

FROM: Laura Zeman

PHONE: 602.382.6377

RE: U.S. Serial No. 10/710,994

**MESSAGE:**

Petition Under 37 C.F.R. 1.28 (2 pgs.)

Thank you.  
Laura Zeman**Please confirm receipt of this facsimile.**

ORIGINAL DOCUMENT: Will not be sent

NUMBER OF PAGES (Including Cover):

3

CONFIRMATION NO.:

CLIENT MATTER NO.: 41821.0939

PLEASE RETURN TO: Kim Brown 16S21

PERSONAL FAX: No

REQUESTOR:

Laura Zeman

DIRECT LINE:

602.382.6377

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OUR FACSIMILE NUMBER IS 602.382.6070.**

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**CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. § 1.6(d)**

I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. § 1.6(d), are being sent via facsimile to the U.S. Patent and Trademark Office to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9/18/06By: Kim L. Brown  
Signature of Person Depositing Facsimile**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE****— PATENT —**

Applicants: Kemmons A. Tubbs  
Karl F. Gruber  
Randall W. Nelson

Docket No.: 41821.0939

Serial No.: 10/710,994

Confirmation No.: 4993

Filing Date: August 16, 2004

Examiner: Ernest G.  
Therkorn

Title: AN INTEGRATED HIGH  
THROUGHPUT SYSTEM FOR  
THE ANALYSIS OF  
BIOMOLECULES

Art Unit: 1723

**PETITION UNDER 37 C.F.R. 1.28**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Commissioner:

Under 37 C.F.R. 1.28, Intrinsic Bioprobes, Inc., the owner by assignment of U.S. Utility Patent Application No. 10/710,994, hereby requests that the United States Patent and Trademark Office refund the below-noted fees representing the difference between certain fees paid at a large entity rate and a corresponding small entity rate.

Application Serial No. 10/710,994

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SEP 18 2006

BACKGROUND

On August 16, 2004, a number of divisional patent applications were filed electronically on behalf of Intrinsic Bioprobes, Inc., including the above-referenced application. Intrinsic Bioprobes, Inc. was incorrectly noted as a large entity on these applications. Applicant has recently paid the Issue Fees for these applications at the large entity rate and would request that the overpayment be credited to Snell & Wilmer's Deposit Account Number 19-2814. Applicant is a Small Entity Under 37 C.F.R. §1.27.

FEES PAID

The fees below were paid on June 16, 2006 at the large entity rate and should have been paid at the small entity rate:

| <u>Fee Type</u> | <u>Amount Actually Paid</u> | <u>Small Entity Fee</u> | <u>Difference</u> |
|-----------------|-----------------------------|-------------------------|-------------------|
| Issue Fee       | \$1400                      | \$700                   | \$700             |
|                 |                             | <b>TOTAL</b>            | <b>\$700</b>      |

We hereby authorize The Commissioner to credit this overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached..

Respectfully submitted,

Date: Sept 16, 2006By: John H. Platt 47,863 for  
Laura J. Zeman  
Reg. No. 36,078

**SNELL & WILMER L.L.P.**  
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-- PATENT --

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| 06/19/2006 | TBESHAH2 | 12  | SALE | 1504 | A | 300.00   | 10710994 | 192814 |
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